

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1672

By: Daniels

AS INTRODUCED

An Act relating to judicial retirement; creating the Oklahoma Judicial Retirement Act of 2024; providing short title; mandating retirement of certain judicial officers upon certain age; authorizing completion of certain term; authorizing certain retirement benefits; requiring delivery of affidavit for certain purpose; providing for filling of certain vacancy; prohibiting election or appointment of certain persons; providing for severability; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1407 of Title 20, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Oklahoma Judicial Retirement Act of 2024".

B. As authorized pursuant to subsection (c) of Section 11 of Article VII of the Oklahoma Constitution, a Justice of the Supreme Court, a Judge of the Court of Criminal Appeals or of the Court of Civil Appeals, or a district court judge shall retire when he or she reaches seventy-five (75) years of age; provided, however, such

1 appellate Justice or Judge or district court judge may complete the
2 term during which he or she turns seventy-five (75) years of age if
3 he or she chooses to complete such term. Upon retiring, each such
4 appellate Justice or Judge or district court judge shall receive
5 retirement benefits as provided by law.

6 C. An appellate Justice or Judge or district court judge who
7 has reached seventy-five (75) years of age on or before the effective
8 date of this act shall retire on the effective date of this act;
9 provided, however, such appellate Justice or Judge or district court
10 judge may complete the term during which this act was enacted if he or
11 she chooses to complete such term.

12 D. No later than thirty (30) days prior to the date the appellate
13 Justice or Judge or district court judge would be required to
14 retire, an appellate Justice or Judge or a district court judge who
15 chooses to complete his or her term pursuant to subsection B or C of
16 this section shall deliver a signed affidavit to the chief or
17 presiding judge of his or her court that declares the intent to
18 complete the term. Any appellate Justice or Judge or district court
19 judge who does not provide the signed affidavit shall be deemed to be
20 retired on the date set pursuant to subsection B or C of this section
21 and the office shall be deemed vacant. Any vacancy occurring upon a
22 retirement as required by this section shall be filled as provided
23 by law.

1 E. No person shall be eligible for election or appointment to
2 any appellate or district court who has reached seventy-five (75)
3 years of age prior to or on the date of election or appointment.

4 F. The provisions of this act are severable and if any part or
5 provision shall be held void the decision of the court so holding
6 shall not affect or impair any of the remaining parts or provisions
7 of this act.

8 SECTION 2. It being immediately necessary for the preservation
9 of the public peace, health or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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